



United States Government  
NATIONAL LABOR RELATIONS BOARD  
Office of the General Counsel

CONTEMPT, COMPLIANCE, & SPECIAL LITIGATION BRANCH

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BY EMAIL

September 25, 2019

David S. Jasinski  
Jasinski, P.C.  
60 Park Place, Ste. 8  
Newark, NJ 07102

Re: Alaris at Hamilton Park Health Care Center, NLRB No. 22-CA-180566, 3d Cir. No. 18-3009

Dear Mr. Jasinski:

The Board's Newark Regional Office has referred the above-referenced matter to this, the Board's Contempt, Compliance and Special Litigation Branch, with a recommendation that we initiate civil contempt proceedings against Alaris Health at Hamilton Park ("Hamilton Park") for engaging in conduct in violation of the May 8, 2019 judgment of the United States Court of Appeals for the Third Circuit. I attach a copy of this judgment for your consideration.

Specifically, the Region has advised us that Hamilton Park has failed and refused to comply with the affirmative actions required by the court's judgment, including the following:

1. Furnish the Union in a timely manner the information requested by the Union on April 28, 2016, that is not already provided, specifically the information set forth above in paragraph 1 of the Board's decision reported at 366 NLRB No. 90.
2. Within 21 days after service by the Region, file with the Regional Director for Region 22 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

This conduct may be found to have violated the Board's Order as enforced by the court. Be aware that in conjunction with seeking a finding of contempt, the Board will seek payment of costs, attorney fees, and compensatory damages, as appropriate.

I am in the process of reviewing the Region's submission. Accordingly, I am requesting that you provide the following documents:

Exhibit C

1. All documents that you claim have been produced responsive to the information requests described in the Third Circuit's judgment, whether before or after such judgment issued.

If there is anything else you believe this Branch should consider before making a decision, please furnish it to me by **Monday, October 7, 2019**.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

/s/ Paul A. Thomas

PAUL A. THOMAS

*Trial Attorney*

Contempt, Compliance and Special  
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National Labor Relations Board

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Attachment

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

October 2, 2018  
ACO-002

NATIONAL LABOR RELATIONS BOARD

Petitioner

v.

ALARIS AT HAMILTON PARK HEALTH CARE CENTER

Respondent

:  
:  
: No. 18-3009  
:  
: Board Case No.  
: 22-CA-180566  
:  
:

JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before: MCKEE, SHWARTZ and BIBAS, Circuit Judges

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Alaris at Hamilton Park Health Care Center, its officers, agents, successors, and assigns, enforcing its Order dated May 14, 2018, in Case No. 22-CA-180566, reported at 366 NLRB No. 90, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Alaris at Hamilton Park Health Care Center, its officers, agents, successors, and assigns, shall abide by said Order (see attached Order).

Mandate shall issue forthwith.

By the Court,

s/ Theodore A. McKee  
Circuit Judge

Dated: May 8, 2019  
cc: All Counsel of Record

Exhibit C

NATIONAL LABOR RELATIONS BOARD

v.

ALARIS AT HAMILTON PARK HEALTH CARE CENTER

**ORDER**

Alaris at Hamilton Park Health Care Center, Jersey City, New Jersey, its officers, agents, successors, and assigns, shall take the following affirmative action necessary to effectuate the policies of the Act.

1. Furnish the Union in a timely manner the information requested by the Union on April 28, 2016, that is not already provided, specifically the information set forth above in paragraph 1 of the Board's Decision reported at 366 NLRB No. 90.
2. Within 21 days after service by the Region, file with the Regional Director for Region 22 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.